IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH.

CIVIL REVISION NO.6456 OF 2007.
DECIDED ON : 13-12-2007.

Maninder Kaur.

.....Petitioner.

Versus

Sarabjit Singh.

.....Respondent.

Present:- Ms. G.K.Mann, Advocate,
for the petitioner.

RAJESH BINDAL J.

The prayer made in the present petition is for direction to the learned court below for decision of the applications filed by the petitioner for recalling of PW Sukhdeep Singh @ Robin for cross-examination and for de-exhibiting documents P-8/B and 8/C.

The present petition arise out of proceedings pending before the learned Court below under Section 13 of Hindu Marriage Act for dissolution of marriage filed by the husband against the petitioner-wife. As far as application for de-exhibiting the documents is concerned, learned counsel for the petitioner states that she may be permitted to withdraw the prayer made in the present petition to that effect as she would raise the objections/contentions with regard to that during the course of trial or at the time of arguments. Ordered accordingly.

As far as prayer made by the petitioner for

recalling of PW Sukhdeep Singh @ Robin for cross-examination is concerned, learned counsel for the petitioner submitted that even though the application was filed by the petitioner to that effect but still without passing any order thereon, the trial of the case is proceeding. She submitted that at the relevant time, the witness could not be cross-examined inadvertently and accordingly, the application was filed for recalling him for cross-examination. However, the non-decision of the application is prejudicing the case of the petitioner.

Without issuing notice to the respondent as the same would unnecessarily delay disposal of the present petition especially keeping in view the fact that the prayer made by the petitioner is innocuous , I direct the learned Court below to take a final decision on the application filed by the petitioner for recalling of PW Sukhdeep Singh @ Robin after hearing both the parties.

Accordingly, the revision petition is disposed of.

December 13, 2007. (RajeshBindal)
seema s Judge.